

**Board of Public Works**  
**May 26, 2010**

A regular meeting of the Board of Public Works of the Consolidated City of Indianapolis, Marion County, Indiana, was held the 26<sup>th</sup> day of May 2010, in the Public Assembly Room of the City County Building. Chair David Sherman called the meeting to order at 1:00 p.m.

Board members in attendance were: David Sherman   Robert Parrin   Tony Samuel  
Kenneth Hughes   Dennis Rosebrough

Absent: Cassie Stockamp  
Dorothy Henry

Staff in attendance were:

DeAnn Milliken   Nicole Kelsey   Mike Smith  
Jeff Sirmin   Larry Jones   Steve Nielsen

**ITEM # 1 – APPROVAL OF MINUTES**

Upon a motion by Mr. Rosebrough, seconded by Mr. Hughes, the Board voted 5-0 to approve and accept Board Minutes from March 10, 2010.

**ITEM # 2 – RESOLUTIONS**

- a. Resolutions were taken all together.

Resolution No. 27, 2010; Parking Meter Waiver Fees for Payton Manning Children's Hospital

Staff recommended that the Board of Public Works approve and adopt Resolution No. 27, 2010, for the waiver of parking meter fees for the Payton Manning Children's Hospital event. Upon a motion by Mr. Parrin, seconded by Mr. Hughes, the Board voted 5-0 to approve and adopt Board Resolution No. 27, 2010.

- b. Resolution No. 28, 2010; Parking Meter Waiver Fees for the Indiana Grape Wine Council

Staff recommended that the Board of Public Works approve and adopt Resolution No. 28, 2010, for the waiver of parking meter fees for the Indiana Grape Wine Council event. Upon a motion by Mr. Parrin, seconded by Mr. Hughes, the Board voted 5-0 to approve and adopt Board Resolution No. 28, 2010.

- c. Resolution No. 29, 2010; Parking Meter Waiver Fees for the Strawberry Festival

Staff recommended that the Board of Public Works approve and adopt Resolution No. 29, 2010, for the waiver of parking meter fees for the Strawberry Festival event. Upon a motion by Mr. Parrin, seconded by Mr. Hughes, the Board voted 5-0 to approve and adopt Board Resolution No. 29, 2010.

- d. Resolution No. 30, 2010; Parking Meter Waiver Fees for the Marsh Cookout on the Circle

Staff recommended that the Board of Public Works approve and adopt Resolution No. 30, 2010, for the waiver of parking meter fees for the Marsh Cookout on the Circle event. Upon a motion by Mr. Parrin, seconded by Mr. Hughes, the Board voted 5-0 to approve and adopt Board Resolution No. 30, 2010.

- e. Resolution No. 31, 2010; Parking Meter Waiver Fees for the Indian Market

Staff recommended that the Board of Public Works approve and adopt Resolution No. 31, 2010, for the waiver of parking meter fees for the Indian Market event. Upon a motion by Mr. Parrin, seconded by Mr. Hughes, the Board voted 5-0 to approve and adopt Board Resolution No. 31, 2010.

### **ITEM # 3 – BID AWARD**

#### Rejection of Bids for Repair of Traffic Signal Controllers and Controller Cabinet Power Supply Units

Staff recommended that the Board of Public Works reject all bids received for the Repair of Traffic Signal Controllers and Controller Cabinet Power Supply Units. The repair service agreement will supply all parts and labor necessary for the repair of the Traffic Signal Controllers and Controller Cabinet Power Supply Units. Although eleven companies picked up this bid, only one vendor responded who took exceptions that the department was not willing to accept. Mr. Hughes asked if staff expected more bidders to bid this project. Mr. Jones replied yes, that obviously the bid documents were not as clear as it needed to be. Mr. Parrin asked when would the department re-bid the project. Mr. Jones replied as soon as possible. Upon a motion by Mr. Hughes, seconded by Mr. Rosebrough, the Board voted 5-0 to reject all bids of Traffic Signal Controllers and Controller Cabinet Power Supply Units Project.

Director Sherman asked Mr. Jones to up-date the Board on the Statement Qualification Selection. Mr. Jones stated that staff put out a Request for Qualification (RFQ) for consulting firms to team up and provide program management services; and to support and supplement the Department of Public Works; to get the funding design bid constructed in a timely matter. He stated that staff received \$140 million from the Council, and pending on the sell of the utilities, even more transactions would come in financially. Mr. Jones stated that staff was not in the position to handle this kind of demand, therefore, asked for assistance on a temporary basis, to help get these projects out, and to provide the best quality possible. In addition, he stated that staff received four responses, one from American Structurepoint; another DLZ; and Beam, Longest and Neff, and that the fourth one he could not remember. He stated that staff will be meeting with these teams to discuss details of the few proposals that will be presented to this Board within 30 days; and that the teams will be providing their engineering expertise, their staff, and will assist primarily in the construction section to manage the construction projects.

Director Sherman stated that Mr. Jones' team has done an excellent job of evaluating the conditions of the entire city; and put out a contract for a pavement index indicator; and that for years, Mr. Jones' team went out and physically inspected every street and addressed every complaint, manually upgrading the inventory. Yet, staff intends to have a team like the staff on the sanitary side, a team with the professionalism and expertise, for staff will see more done with lower dollars. Finally, he wanted to thank Mr. Jones and his staff for all the work that they have done.

Mr. Parrin asked after scoring certain projects, does staff have any idea how deep into the funding this will be. Mr. Jones replied that he can use all of the funds; that if the sell of the utilities happens, staff will get about \$354 million, so staff has the ability to spend it all; however, the question is how does staff reduce the master list down to the best choices for the county.

Mr. Rosebrough asked when would staff be prepared to announce the list of projects that will be covered by this. Director Sherman replied that the list should be announced in about thirty days. He stated that the list has been put in front of the Mayor, and what staff needs to do is look at how we can encumber some of the projects and drainage issues together, so staff needs to make certain it gets done. He stated that his mission

is to have a lot less pot hole complaints and new sidewalks for disadvantaged people, so that they will have an opportunity to go forward; and that abandoned homes and things of that nature will need to be taking care of too. Mr. Parrin stated that this is a big project in total and asked whether or not there is enough capacity within Indiana to handle this much work. Mr. Jones replied yes, that staff is already receiving good bids.

#### **ITEM # 4 - FINAL CHANGE ORDER AND ACCEPTANCE**

LS-11-002; C/O No.2/FINAL; Lift Station 504 Improvements  
\$43,664.53 – Maddox Industrial Contractors, Inc.

Staff recommended that the Board of Public Works approve and authorize the Director to execute Change Order No. 2/FINAL for Maddox Industrial Contractors in the increased amount of \$43,664.53 for a new contract total not to exceed \$1,633,430.53 and an increase of 156 calendar days for Project No. LS-11-002, Lift Station 504 Improvements, and furthermore to accept this project as final. This change order is for the addition of control relays and wiring, programming of the MAS unit and pressure switch replacement. Upon a motion by Mr. Hughes, seconded by Mr. Samuel, the Board voted 5-0 to approve Change Order No. 2 for the Lift Station 504 Improvements Project.

Director Sherman asked Mr. Nielsen to explain why they both were in a great mood. Mr. Nielsen replied that staff has been in heated discussions and negotiations with EPA regarding the Long Term Consent Decree. He stated that EPA made many changes to the language that could have impacted the city's performance; changes that staff did not want and would not accept. He stated that after making some changes; the city ended up with two hundred and fifty million gallons of deep tunneling storage; one big bath tub underground; two hundred and fifty million gallons of treatment; and a deep rock tunneling pump station. And while the city and EPA has agreed, this agreement gives us cash flow relief, longer times to bid these projects out, and a longer time to achieve a full operation.

Director Sherman stated in 2006, the Consent Decree was agreed upon after six years of negotiations; staff made changes in 2008 and 2009, which the rest of the Consent Decree changes were almost completed. Although, he stated that the changes resulted in hundreds of millions of dollars of savings for the city and the community, and billions of gallons of early sewage pick up with a more reliable and more robot system; it's a win, win for the Mayor's Office, and that he wanted to give his Chief Engineer and staff, kudos for a job well done.

Mr. Rosebrough asked if part of the team that staff assembled was able to work side by side with them. Mr. Nielsen replied that without those people that staff assembled; the DLZ's ; the Mark Jacob; the Chris Ranck, and the hydraulic modular's who made their eyes turn into the back of their heads with information. The attorneys that represented us, who all knew the EPA staff; got us in with the Department of Justice, and got region five to come to the table to negotiate with us; had it not been for this assembled team, staff would not have been successful. Director Sherman stated that this does relate to what staff is trying to do on the transportation side, for staff did the right things, got the right people who knew what was going on locally and nationally. Yet, staff pulled together a great team, so staff is very confident with using the same approach. Mr. Rosebrough stated that he believes that publically, Director Sherman and Mr. Nielsen leadership of putting the right people at the table and going forward with a well documented program has yielded the city huge successes. So for the record and from the rest of this Board, Kudos for doing the right things together, and knowing how to pull the right resources together to make it happen.

Mr. Parrin asked when staff first talked about the Deep Rock Tunneling program, staff came up with a rough estimate with savings that could be achieved, and asked if staff is on their way towards that number with

what had been negotiated. Mr. Nielsen replied yes, that staff has saved at least \$400 to \$500 million off the Long Term Consent Decree project. Director Sherman mentioned that the Mayor needs to make his announcement first; however, this was more of a heads up, so that the Board members would not read it in the newspaper later in the week.

#### **ITEM # 5 – PROFESSIONAL SERVICE AGREEMENTS**

The next three agreements were taken all together.

- a. ENG-10-008, On-Call Inspection Engineering Services  
\$200,000.00 – Wilcox Professional Services, Inc.

Staff recommended that the Board of Public Works approve and authorize the Director to execute the Construction Inspection Services Agreement with Wilcox Professional Services, Inc., for Project No. ENG-10-008, On-Call Inspection Engineering Services in the amount not to exceed \$200,000.00. The project consists of On-Call Inspection of the 2010 Curb, Sidewalk and Ramp program and other related on-call assignments. Upon a motion by Mr. Hughes, seconded by Mr. Parrin, the Board voted 5-0 to approve the On-Call Inspection Engineering Services Agreement.

- b. ENG-10-009, On-Call Inspection Engineering Services  
\$300,000.00 – Stephen J. Christian & Associates

Staff recommended that the Board of Public Works approve and authorize the Director to execute the Construction Inspection Services Agreement with Stephen J. Christian & Associates for Project No. ENG-10-009, On-Call Inspection Engineering Services project in the amount not to exceed \$300,000.00. This project consists of the inspection engineering services for the remainder of 2010 and all of 2011. Upon a motion by Mr. Hughes, seconded by Mr. Parrin, the Board voted 5-0 to approve the On-Call Inspection Engineering Services Agreement.

- c. ENG-10-010, On-Call Inspection Engineering Services  
\$300,000.00 – Clark Dietz, Inc.

Staff recommended that the Board of Public Works approve and authorize the Director to execute the Construction Inspection Services Agreement with Clark Dietz for Project No. ENG-10-010, On-Call Inspection Engineering Services project in the amount not to exceed \$300,000.00. This project consists of the inspection engineering services for the remainder of 2010 and all of 2011. Upon a motion by Mr. Hughes, seconded by Mr. Parrin, the Board voted 5-0 to approve the On-Call Inspection Engineering Services Agreement.

- d. BR-25-178, Marion County Bridge Inspection, 2010 and 2012  
\$1,188,643.00 – United Consulting Engineers & Architect

Staff recommended that the Board of Public Works approve and authorize the Director to execute an Agreement with United Consulting for the 2010 and 2012 bridge inspections for Marion County, for a contract amount not to exceed \$1,188,643.00. The purpose of this contract is to provide for the inspection of all bridges carrying vehicular traffic in Marion County, except State highway bridges and privately owned bridges, in 2010 and in 2010. Designed bridges will also receive underwater inspections, fracture critical inspections, and or special inspections for fatigue related features. Mr. Hughes asked in 2010 and 2012, would the designed bridges be inspected. Mr. Jones replied yes, all five-hundred and thirty one bridges are

inspected. Upon a motion by Mr. Parrin, seconded by Mr. Hughes, the Board voted 5-0 to approve the Marion County Bridge Inspection, 2010 and 2012 Agreement.

**ITEM # 6 – PROFESSIONAL SERVICE AMENDMENTS**

- a. SS-00-027; Miscellaneous I/I Investigation and Facility, Amendment No. 1  
\$0.00 – EMH & T

Staff recommended that the Board of Public Works approve and authorize the Director to execute Amendment No. 1 to the Professional Service Agreement dated June 13, 2007 between EMH & T and the City of Indianapolis for Department of Public Works Project No. SS-00-027, Miscellaneous I/I Investigation and Facility Planning for an extension of 114 calendar days and a \$0.00 increase in project cost, for a total contract amount not to exceed \$250,000.00. Upon a motion by Mr. Hughes, seconded by Mr. Parrin, the Board voted 5-0 to approve Amendment No. 1 to the Miscellaneous I/I Investigation and Facility Agreement.

- b. LS-11-002; Lift Station 507 Improvements, Amendment No. 1  
\$69,676.65 – Burgess & Niple, LTD

Staff recommended that the Board of Public Works approve and authorize the Director to execute Amendment No. 1 to the Professional Service Agreement dated May 9, 2007 with Burgess & Niple for Project No. LS-11-002, Lift Station 507 Improvements in the increased amount of \$69,676.65 for a total amount not to exceed \$180,499.25. This amendment is for additional hours needed to complete the construction inspection as the construction contract time was increased by a total of 254 calendar days. Upon a motion by Mr. Parrin, seconded by Mr. Samuel, the Board voted 5-0 to approve Amendment No. 1 to the Lift Station 507 Upgrades Design Agreement.

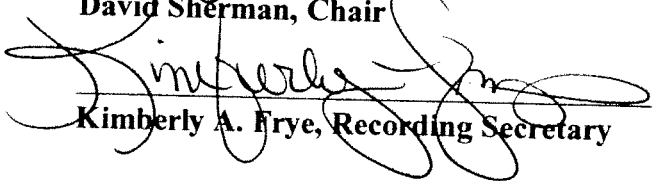
- c. CS-00-067A; Facility Planning for CSO Projects - On-Call, Amendment No. 2  
\$0.00 – SYMBIONT

Staff recommended that the Board of Public Works approve and authorize the Director to execute Amendment No. 2 to the Professional Service Agreement between Symbiont and the City of Indianapolis, for Facility Planning for CSO Projects – On Calls, CS-00-067A for no monetary increase, and extending the contract expiration dated to January 31, 2012. There are approximately 130 locations throughout our sewer system where combined sewer overflows (CSO) are located. There are several of these CSO locations in our system that may require rehabilitation and/or modification in order to provide storage as the city moves forward to improve the quality of water in its streams and rivers. The purpose of this contract is to on an as-needed basis, evaluate the (CSO) and propose improvements and provide design services. Upon a motion by Mr. Rosebrough, seconded by Mr. Parrin, the Board voted 5-0 to approve Amendment No. 2 to the Facility Planning for CSO Projects - On-Call Agreement.

**ITEM # 7 – OTHER BUSINESS**

There being no further business the meeting of the Board of Public Works was adjourned at 1:36p.m.

  
David Sherman, Chair

  
Kimberly A. Frye, Recording Secretary